

S
371.82
P11msp
1989



MONTANA STATE PLAN

for

EDUCATION OF HOMELESS CHILDREN AND YOUTH

DRAFT

STATE DOCUMENTS COLLECTION

JUN 26 2003

MONTANA STATE LIBRARY
1515 E. 6th AVE
HELENA, MONTANA 59601

Mandated by
Stewart B. McKinney Homeless Assistance Act of 1987
(P.L. 100-77)

January 31, 1989

INTRODUCTION

Homelessness in Montana is recognized by some as a social, economic and moral problem. Regardless of underlying reasons, the existence of the problem necessitates that we take action to help solve it.

Homelessness often deprives people of the basic necessities of life: adequate food, clothing, and shelter. It deprives children of an additional need: education. According to Office of Public Instruction's 1988 homeless survey, Montana has 234 homeless children and youth who do not attend school.¹ Some of those who do attend do so on an interrupted basis. They are affected by many of the same problems that face those not attending school.

There is much disagreement at the national level (and in Montana) about the numbers of homeless. There is, however, consensus between the Government and advocates that the problem is growing. "There is no disagreement about two shocking facts: the number of Americans with no home is growing at an alarming rate, and families with young children are now joining the homeless in increasing numbers."² Montana is not immune to this growth.

The following plan is based on the degree of knowledge and information that we have at the current time. All areas of concern are not specifically addressed in this plan, such as homeless children and youth who have mental health problems, the hidden homeless and others. These topics may be addressed in the future as we attempt to bring all of the state's resources together to achieve a comprehensive solution to our state's homeless problems.

¹Office of Public Instruction, Montana State Survey: Homeless Children and Youth (survey results), October 1988.

²Congressional Record - Senate, response from Senator E. Kennedy, Education Committee Chairman, S8943, June 27, 1987.

PROGRAM POLICY

- A. Title VII, Subtitle B of the Stewart B. McKinney Act, directs the Office of Public Instruction to establish a program with the following idea in mind: "The purpose of this subtitle is to make plain the intent and policy of Congress that every child of a homeless family and each homeless youth be provided the same opportunities to receive free, appropriate educational services as children who are residents of the state. No child or youth should be denied access to any educational services simply because he or she is homeless."³
- B. The Office of Public Instruction plans to be an active and a reactive advocate for the education of homeless children and youth in Montana. The at-risk nature of homeless children is recognized and OPI will attempt to implement a comprehensive plan to work toward solving those educational problems. All homeless children and youth must be considered at-risk. Too often in Montana we tend to see homelessness as a big city problem and do not want to recognize its existence in Montana towns and cities. For this reason, this plan takes an active role in providing help for these children and youth. It begins by creating increased general public awareness of homelessness and those specific barriers to the education of homeless children and youth. Currently, at-risk programs, dropout prevention, and remedial programs for the disadvantaged are provided. The plan will foster a more coordinated effort among all state programs in meeting the educational needs of the homeless.

I. GOALS

- A. The plan's goals are directed toward increased public awareness that leads to active participation at all public and private levels. The goals will address a population that includes students living on their own, families with children, drug and alcohol effected, runaway youth, socially transient and short-term foster care children and youth.
- B. The specific goals of the state plan are outlined in 1-4.
 - 1. Increased public awareness of educational problems.
 - 2. Office of Public Instruction initiating a comprehensive plan to deal with recognized problems.
 - 3. Coordination of all state and local services.
 - 4. The ultimate goal of assuring access to a free, appropriate public education for education of homeless children and youth.

³Stewart B. McKinney Homeless Assistance Act, joint explanatory statement of the Committee of Conference, Page 63, July 1987.

III. DEFINITIONS

A. child and youth -

For purposes of this section, "child" and "youth" includes those persons who, were they children of residents of the state, would be entitled to a free public education.

B. homeless

A homeless individual is one who: (1) lacks a fixed, regular, and adequate residence or (2) has a primary nighttime residence in a supervised publicly or privately operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. (Section 103(a)(1)(2) of the Act.)

The term "homeless" or "homeless individual" does not include any individual imprisoned or otherwise detained by an Act of Congress or a state law [Section 103(c)].

C. free, appropriate public education -

A free, appropriate public education means the educational programs and services that are provided the children of a resident of a state, and that are consistent with state school attendance laws [Section 721(1)]. It includes educational services for which the child meets the eligibility criteria, such as compensatory education programs for the disadvantaged, educational programs for the handicapped and for students with limited English proficiency; programs in vocational education, and programs for the gifted and talented; and school meals programs [Section 722(e)(5)].

IV. STATE PLAN ISSUES [Section 22(e)]

The state plan for Montana is adopted in response to the Stewart B. McKinney Homeless Assistance Act, Title VII, Subtitle B (Education of Homeless Children and Youth) and is intended to provide for the education of each homeless child or homeless youth within Montana with regard to the following provisions:"⁴

A. OFFICE OF COORDINATOR

Section 722(c)(2), "Establish or designate an office of coordinator of education of homeless children and youth in accordance with subsection (D)."

1. The Office of Public Instruction on April 4, 1988, established a position within the office that is designated as Coordinator/Specialist for Education of Homeless Children and Youth. This position was filled in August of 1988. The Office of Public Instruction is responsible for all of the mandates of the Stewart B. McKinney Act and directs the coordinator/specialist to serve as the Office of Public Instruction's advocate for homeless children and youth.
2. This position will be funded through grants available from the Stewart B. McKinney Act.

⁴Stewart B. McKinney Homeless Assistance Act ("Act") Title VII, Subtitle B. Sections 721 and 722, Pages 46 through 49, July 1987.

B. DATA GATHERING

Section 722(d)(1), "Annually gather data on the number and location of homeless children and youth in the state and such data gathering shall include the nature and extent of problems of access to, and placement of, homeless children and homeless youth in elementary and secondary schools and the difficulties in identifying the special needs of such children."

The information contained in the following sections (1 and 2) are the basis for fulfilling the requirements for a state plan.

1. Statewide Survey - Education of homeless children and youth

- a. The primary requirement under this section is to develop a system for providing an unduplicated and accurate count in each state. The Office of Public Instruction will develop a system of identifying homeless children and youth within the program that allows for identification, that allows for arriving at an unduplicated count and that is verifiable with regard to accuracy.
 - (1) This system uses an identifier for each student. The identifier consists of a person's first, middle, and last initial and a six-digit birthdate.
 - (2) The gathered information is input to a data base and screened for duplication. This is to be done to provide a count that is unduplicated for each county.
 - (3) The coordinator/specialist will maintain an information log for follow up with the individuals who completed the survey. This will allow verification of the survey count.
- b. This plan includes the ongoing process of counting homeless children and youth annually and verification of previously gathered data.
 - (1) The coordinator/specialist will schedule accuracy verification meetings with survey respondents in those areas of high concentration of homeless children and youth. This will be done annually.
 - (2) The coordinator/specialist shall take steps to assure that Local Education Agencies, advocacy groups, shelter providers and any other social service providers are included in the annual survey process of homeless children and youth. The coordinator/specialist will develop a file listing these groups and organizations for use in future programs and sharing of information regarding education of homeless children and youth.

2. Needs Assessment - Nature and Extent of Problems

- a. The coordinator/specialist will develop an information base which includes all of the responses regarding the needs of homeless children and youth.

- b. The needs assessment will be part of the annual survey process of homeless children and youth. The coordinator/specialist shall gather and analyze information regarding the initial survey (October 1988). The coordinator/specialist will compare responses to ascertain the effectiveness of the homeless program.
- c. The Office of Public Instruction and the coordinator/specialist will conduct items 1 and 2 on an annual basis and make available to the public any information and data that is relevant to solving recognized problems.
- d. These activities will be funded by a grant from the Stewart B. McKinney Act.

3. Final Report

- a. The coordinator/specialist will complete and submit an annual report to the Department of Education in Washington, D.C. The format of this report will be the same as the final report to the Department of Education and will be in compliance with Section 722(d)(1) of the Act. This report is due in Washington, D.C., no later than December 31st of each year.
- b. The Office of Public Instruction will publicize and make the report available to any agencies, departments, offices or individuals upon request.
- c. Annual funding will be provided by a grant from the Stewart B. McKinney Act.

C. PROBLEMS AND NEEDS - Survey and Needs Assessment Results

i. Survey Data

- a. The Office of Public Instruction has completed its first annual report to the Department of Education. The number of homeless children and youth reported in Montana was based on information aggregated over a year's time (November 1987 to November 1988). The Office of Public Instruction believes this information gives a realistic picture of the number of individual homeless children and youth to be served during a typical school year. The Office of Public Instruction's survey identified almost 1700 homeless children and youth in the responding counties and projected a total of approximately 2600 children and youth statewide. The Office of Public Instruction will continue to use the six specific categories of homeless as its criteria for homelessness.
- b. Recommendation:

The Office of Public Instruction recommends that Congress and the Department of Education continue counting short-term foster care as part of the homeless definition. Short-term foster children usually do not have a fixed regular or adequate residence. They are placed by state law but are not detained by state law. Most importantly, they also suffer from interrupted and hindered learning, due to lack of a permanent home. Survey respondents in

Montana identified a need to increase services to this category of homeless children and youth.

- c. The Office of Public Instruction plans to use the demographic results of its survey to conduct area follow up and verify the numbers of homeless children and youth. There were 36 out of 56 counties that reported at least one homeless child. While the Stewart B. McKinney program is intended to help all homeless children and youth throughout Montana, the initial direction of the program will be to verify counts and needs in those counties that responded to the Office of Public Instruction's survey. Secondary efforts will be made to compile numbers in those demographic areas that did not respond (an estimated 991 homeless children and youth).
- d. In areas where no information was gathered, the Office of Public Instruction will attempt to verify the zero count.
- e. The following is a breakdown of demographic areas in Montana. The number of homeless children and youth is listed in parenthesis. The first county listed is the county of highest concentration of homeless children and youth in an area.
- f. Demographic Areas
 - Area 1 Flathead, Lincoln, Lake Counties (86)
 - Area 2 Missoula, Ravalli, Mineral, Sanders Counties (314)
 - Area 3 Silver Bow, Beaverhead, Deer Lodge, Granite Counties (55)
 - Area 4 Lewis & Clark, Powell, Jefferson, Broadwater, Meagher Counties (183)
 - Area 5 Gallatin, Madison, Park, Sweet Grass, Wheatland Counties (84)
 - Area 6 Cascade, Judith Basin, Fergus, Petroleum, Chouteau, Teton Counties (152)
 - Area 7 Hill, Liberty, Toole, Pondera, Glacier, Blaine Counties (149)
 - Area 8 Roosevelt, Sheridan, Daniels, Valley, Phillips Counties (89)
 - Area 9 Yellowstone, Golden Valley, Musselshell, Stillwater, Carbon, Big Horn Counties (372)
 - Area 10 Rosebud, Treasure, Garfield, Powder River, Custer, Carter, Fallon Counties (127)
 - Area 11 Richland, McCone, Dawson, Prairie, Wibaux Counties (42)

2. Solutions:

- a. Increased public awareness of the definition of homeless children and youth and the data regarding the count in Montana is essential for any program to be effective in dealing with the homeless student problems or barriers. The public must become aware of the problems that homeless children and youth face in Montana.
- b. The Office of Public Instruction and the coordinator/specialist will maintain an advocacy position with regard to public awareness and

the recognition of the problems in Montana. The coordinator/specialist shall be available to any interested party or organization to provide information and to help organize efforts on behalf of homeless children and youth. The Office of Public Instruction will give support and direction with regard to educational programs for homeless children and youth and provide information to direct interested parties to the proper agency with regard to homelessness outside the realm of education.

- c. The coordinator/specialist will make available all statistical data regarding the education of homeless children and youth for public use.
- d. This portion of the state plan will be funded by a grant from the Stewart B. McKinney Act.

3. Needs Assessment Data
(In order of most numerous response.)

a. Educational Needs of Homeless Children and Youth

(1) Need and Advocate For Homeless Within The School System.

- It is the intention of the Office of Public Instruction, through the efforts of the coordinator/specialist and other staff, to be that advocate.

(2) Teachers Need To Be More Aware and Concerned About The Situations Facing Homeless Children and Youth.

- (a) It will be part of the coordinator/specialist's duty to increase awareness and attempt to increase support for homeless children and youth in Montana. This will be done through a concentrated awareness program at the school district level and among private service providers.

- (b) The coordinator/specialist will direct efforts toward those areas of high concentrations of homeless children and youth. This will be accomplished through school and area visitations and seminars to help increase the awareness of the homeless problems.

(3) Tutoring Available Outside the School System

- (a) Recommendation - The Office of Public Instruction is recommending that this be addressed by Congress in any future program through the Stewart B. McKinney Act or other programs regarding homelessness in the United States. All activities are contingent upon federal funding.

- (b) The Office of Public Instruction will be responsible for ensuring that existing district tutoring programs are available to all students, homeless or otherwise.

(4) Safe and Adequate Housing or Shelter

- (a) This is the responsibility of other state and local agencies within the Stewart B. McKinney Act.
- (b) It shall be the responsibility of the coordinator/specialist to make available appropriate information regarding homeless children and youth to the Department of Social and Rehabilitative Services, Department of Family Services, the Human Resources Development Council and other public and private groups that provide housing or shelter in Montana.

(5) Day Care for Siblings of Homeless Children and Youth

- (a) This is the responsibility of other state agencies.
- (b) Montana currently has several state agencies that fund day care. The coordinator/specialist will be responsible for maintenance of a list of names and telephone numbers of contact persons at each of these agencies.

(6) Transportation to Schools

- (a) Current Montana School Law [20-10-101(2)(c)] requires a school district to provide transportation to schools for any student residing three or more miles from an elementary or high school in that district.
(Check 20-10-105 Residency/Tuition/Transportation)
- (b) It is also recommended that Congress consider funding for special transportation issues in future programs.

(7) Alternative Education Sites for Homeless

- (a) Thirty-nine of the respondents to the survey made comments and suggestions in regard to providing an alternate education site for homeless children and youth. Within an area of an established shelter or services, this idea tends to coincide with the general at-risk, dropout and homeless programs currently in effect. The alternative site provides many of the necessary needs that, due to the nature of homeless children and youth, cannot be realized in the regular school system.
- (b) The coordinator/specialist will pursue a study of the feasibility of a joint school district, shelter, service provider facility for education of homeless children and youth.
- (c) It is also recommended that Congress consider this as a major part of funding of future homeless programs.

(8) Counseling and Intervention

As with all at-risk groups, it is important to reach children at a young age. The Office of Public Instruction believes

that its goal of increased awareness and concern at all levels, especially the school level, will help solve some of the problems of homeless. The expertise, counseling and intervention by school districts will be a benefit in solving some problems of homeless in Montana.

(9) Training in Jobs for Parents and Youth

- (a) There is a definite need for jobs and job training for homeless parents and children and youth. This area is provided for in Title VII, subtitle C of the Stewart B. McKinney Act, Job Training for the Homeless. It will be part of the responsibility of the coordinator/specialist to have information available regarding proper agency contacts for this program.
- (b) The coordinator/specialist will, upon request, provide information regarding current district programs available through Adult Education, Vocational Education and the Job Training Partnership Act.

(10) School Records Available (old and new)

- (a) School districts will make every attempt to secure past school records from the prior school attended by a homeless child and youth. The district will also make available the current records students leaving that district. The Office of Public Instruction will assist in securing the prior records of any incoming student to Montana.
- (b) Recommendation: The Congress should fund a position with operating expenses, including a computer at each SEA for the purpose of tracking homeless children and youth. This would establish a U.S. network for tracking and follow up. This program could work in conjunction with crime agencies and missing children programs or the current Migrant system.

4. Other Problems

a. Malnutrition/Health/Clothing

- (1) The coordinator/specialist will make information available regarding all Stewart B. McKinney programs. This will include contact of all state, county and local health agencies and any agency or department that provides food, health products or clothing.

b. Tuition Payments/Attendance Rules and Laws/Districts Refusing to Register Students

- (1) The Office of Public Instruction and the coordinator/specialist have taken steps to change the tuition and attendance law to eliminate any barrier that tuition payments may cause homeless children and youth. Legislation is currently being considered by the legislature.

- (2) The Office of Public Instruction policy is to allow any homeless children and youth to attend school pending a dispute being resolved through proper procedures.

c. Problems in Identifying Homeless Children and Youth

- (1) Lack specific knowledge about individuals

Increased public awareness of the Office of Public Instruction's program will make the public respond more positively toward homelessness in general. Recognizing the problems and needs will open new channels of communication necessary to coordinate state and local agencies.

- (2) Definition is not specific

The Federal Government and Congress need to make a more specific definition available regarding examples of people who do, or do not, fit the homeless definition. Specific guidelines relating to the terms "fixed," "regular," and "adequate" are essential.

- (3) Lack of parent cooperation

Increased awareness of problems of the homeless will help in this area. If parents know someone is trying to help, they may respond more positively for the sake of the child.

- (4) Too time consuming to retrieve information

Awareness of the problem of homelessness by school and service providers may show them the importance of the program, the value of gathering information and the services needed by homeless children and youth.

D. LEGAL REQUIREMENTS (SCHOOL LAW)

1. Areas of Consideration

- a. Residency [Section 721(2)]

Montana School Law regarding residency does NOT prohibit access to a free education.

- b. Attendance and Tuition and Residency [Section 721(1)]

- (1) The Office of Public Instruction has taken steps to get the legislature to amend current school law to allow homeless children and youth access to a free, appropriate education.
- (2) The Office of Public Instruction has submitted legislation, Senate Bill 281 entitled, "An Act to require admittance of homeless children to public schools as required by P.L. 100-77, by amending section 20-5-101, MCA."

c. The Office of Public Instruction will comply with all requirements of the Act and, specifically, section 722(e)(1-6).

(1) The local education agency of each homeless child or youth shall either:

(a) Continue the child's or youth's education in the school district of origin for the remainder of the school year; or

(b) Enroll the child or youth in the school district where the child or youth is actually living, whichever is in the child's or youth's best interest.

(c) This is a requirement of the Stewart B. McKinney Act [Section 722(e)(3)]

(2) The choice regarding placement shall be made regardless of whether the child or youth is living with the homeless parents or has been temporarily placed elsewhere by the parents.

This is a requirement of the Stewart B. McKinney Act [Section 722(e)(4)]

(3) Each homeless child shall be provided services comparable to services offered to other students in the school selected according to the provisions of paragraph 3, including educational services for which the child meets the eligibility criteria, such as compensatory educational programs for the disadvantaged, educational programs for the handicapped and for students with limited English proficiency; programs in vocational education; programs for the gifted and talented; and school meals programs.

(4) The school records of each homeless child or youth shall be maintained

(a) so that records are available in a timely fashion when a child or youth enters a new school district; and

(b) in a manner consistent with Section 433 of the General Education Provisions Act.

(5) Each plan adopted under this subsection shall assure, to the extent practicable under requirements relating to education established by state law, that local education agencies within the state will comply with the requirements of paragraphs 3-6 (of the Act).

E. PROVIDE PROCEDURES FOR THE RESOLUTION OF DISPUTES REGARDING THE EDUCATIONAL PLACEMENT OF HOMELESS CHILDREN AND YOUTH

The coordinator/specialist will be available for discussing problems that arise regarding homeless children and youth. The official procedures for the resolution of disputes are in accordance with Administrative Rules of Montana,

Chapter 6, Rules of Procedure for all School Controversy, Contested Cases
Before the County Superintendents of the State of Montana.

F. INTERAGENCY ORGANIZATION

1. It is the intention of the Office of Public Instruction and the coordinator/specialist to initiate an awareness program that includes the formation of a state interagency task force for the homeless. The task force will be responsible for bringing together all state agencies, the Governor's Office, and other interested parties that have interest in, and knowledge of, homeless children and youth.
2. The purpose of the task force will be to exchange information and ideas and provide input to each other for providing the services to the homeless. The exchange of knowledge will lessen the barriers homeless children encounter by making agency information more readily available.

kb/310

Oxford

ESSELTE



100%

